

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

| | | |
|---------------------------------|---|--|
| Phi Theta Kappa Honor Society, |) | |
| |) | |
| Plaintiff/Counter-Defendant |) | Civil Action No. 3:22-cv-00208-CWR-RPM |
| |) | |
| v. |) | |
| |) | |
| HonorSociety.org, Inc., |) | |
| |) | |
| Defendant/Counter-Plaintiff |) | |
| /Third-Party-Plaintiff |) | |
| |) | |
| Honor Society Foundation, Inc., |) | |
| |) | |
| Defendant |) | |
| ----- |) | |
| HonorSociety.org, Inc., |) | |
| |) | |
| Defendant/Counter-Plaintiff |) | |
| /Third-Party-Plaintiff |) | |
| |) | |
| v. |) | |
| |) | |
| Dr. Lynn Tincher-Ladner, |) | |
| |) | |
| Third-Party Defendant |) | |

**PHI THETA KAPPA HONOR SOCIETY
AND DR. LYNN TINCHER-LADNER'S MOTION IN LIMINE**

Plaintiff/Counter-Defendant Phi Theta Kappa Honor Society ("PTK") and Third-Party Defendant Dr. Lynn Tincher-Ladner submit this Motion in Limine to exclude certain evidence, testimony, and arguments from the jury trial.

PTK's moves to exclude the following from the jury trial:

- Evidence, testimony, and argument alleging a history of racism in honor societies, including at PTK.
- Evidence, testimony, and argument concerning Dr. Tincher-Ladner's personal life,

including her spouse.

- Evidence, testimony, and argument regarding decade-old sexual harassment allegations.
- Evidence, testimony, and argument concerning the reasons why former or current PTK employees were/are disgruntled about issues not bearing on the pending claims.
- Evidence, testimony, and argument concerning Moradian's guesses and attorney argument as to the percentage of community college students in Honor Society's membership mix.
- Evidence, testimony, and argument supporting Honor Society's now-dismissed counterclaims.
- Evidence, testimony, and argument alleging PTK's advertisements are false.
- Evidence, testimony, and argument regarding the Fifth Circuit's Order Vacating and Remanding the Second Preliminary Injunction.
- Evidence, testimony, and argument regarding use of blue and gold by organizations operating outside the community college market.
- Evidence, testimony, and argument suggesting PTK is responsible for actions of advisors.
- Honor Society's public records requests and unauthenticated records obtained from community colleges in response to the public records requests.
- Evidence, testimony, and argument supporting Honor Society's equitable defense of laches.
- Evidence, testimony, and argument that PTK's likelihood of confusion survey demonstrates "too low" a percentage of confusion.
- Evidence, testimony, and argument that PTK's trade dress is weak, invalid, or less likely to be infringed merely because it is unregistered.

PTK's contentions are more fully described in its Memorandum Brief in Support of this Motion and the Declaration of Jonathan Polak (and accompanying exhibits), each filed herewith.

Accordingly, PTK respectfully requests the Court exclude the evidence, testimony, and arguments listed above.

Respectfully submitted, April 11, 2025.

/s/ Jonathan G. Polak

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***Counsel for Phi Theta Kappa Honor Society and
Dr. Lynn Tincher-Ladner***

CERTIFICATE OF SERVICE

I, Jonathan Polak, do hereby certify that I have this day electronically filed the foregoing pleading or other paper with the Clerk of the Court using the ECF system which sent notification to all counsel of record.

Dated: April 11, 2025

/s/ Jonathan G. Polak
Jonathan G. Polak